

(i) A new Certification Form (*i.e.*, Form 1-1); and

(ii) The specific forms (e.g., annual declaration on past activities) containing the corrected information required, in accordance with the provisions of this part 712, to amend your declaration or report.

#### § 712.8 Declarations and reports returned without action by BIS.

If you submit a declaration or report and BIS determines that the information contained therein is not required by the CWC, BIS will return the original declaration or report to you, without action, accompanied by a letter explaining BIS's decision. In order to protect your confidential business information, BIS will not maintain a copy of any declaration or report that is returned without action (RWA). However, BIS will maintain a copy of the RWA letter.

#### § 712.9 Deadlines for submission of Schedule 1 declarations, reports, advance notifications, and amendments.

Declarations, reports, advance notifications, and amendments required

under this part must be postmarked by the appropriate date identified in Supplement No. 2 to this part 712. Required declarations, reports, advance notifications, and amendments include:

(a) Annual declaration on past activities (Schedule 1 chemical production during the previous calendar year);

(b) Annual report on exports and imports of Schedule 1 chemicals from facilities, trading companies, and other persons (during the previous calendar year);

(c) Combined declaration and report (production of Schedule 1 chemicals, as well as exports or imports of the same or different Schedule 1 chemicals, by a declared facility during the previous calendar year);

(d) Annual declaration on anticipated activities (anticipated production of Schedule 1 chemicals in the next calendar year);

(e) Advance notification of any export to or import from another State Party;

(f) Initial declaration of a new Schedule 1 chemical production facility; and

(g) Amended declaration or report, including combined declaration and report.

#### SUPPLEMENT NO. 1 TO PART 712—SCHEDULE 1 CHEMICALS

	(CAS registry number)
<b>A. Toxic chemicals:</b>	
(1) O-Alkyl ( $\leq C_{10}$ , incl. cycloalkyl) alkyl (Me, Et, n-Pr or i-Pr)-phosphonofluoridates e.g. Sarin: O-Isopropyl methylphosphonofluoridate .....	(107-44-8)
Soman: O-Pinacolyl methylphosphonofluoridate .....	(96-64-0)
(2) O-Alkyl ( $\leq C_{10}$ , incl. cycloalkyl) N,N-dialkyl (Me, Et, n-Pr or i-Pr) phosphoramidocyanidates e.g. Tabun: O-Ethyl N,N-dimethyl phosphoramidocyanidate .....	(77-81-6)
(3) O-Alkyl (H or $\leq C_{10}$ , incl. cycloalkyl) S-2-dialkyl (Me, Et, n-Pr or i-Pr)-aminoethyl alkyl (Me, Et, n-Pr or i-Pr) phosphonothiolates and corresponding alkylated or protonated salts e.g. VX: O-Ethyl S-2-diisopropylaminoethyl methyl phosphonothiolate .....	(50782-69-9)
(4) Sulfur mustards:	
2-Chloroethylchloromethylsulfide .....	(2625-76-5)
Mustard gas: Bis(2-chloroethyl)sulfide .....	(505-60-2)
Bis(2-chloroethylthio)methane .....	(63869-13-6)
Sesquimustard: 1,2-Bis(2-chloroethylthio)ethane .....	(3563-36-8)
1,3-Bis(2-chloroethylthio)-n-propane .....	(63905-10-2)
1,4-Bis(2-chloroethylthio)-n-butane .....	(142868-93-7)
1,5-Bis(2-chloroethylthio)-n-pentane .....	(142868-94-8)
Bis(2-chloroethylthiomethyl)ether .....	(63918-90-1)
O-Mustard: Bis(2-chloroethylthioethyl)ether .....	(63918-89-8)
(5) Lewisites:	
Lewisite 1: 2-Chlorovinylchloroarsine .....	(541-25-3)
Lewisite 2: Bis(2-chlorovinyl)chloroarsine .....	(40334-69-8)
Lewisite 3: Tris(2-chlorovinyl)arsine .....	(40334-70-1)
(6) Nitrogen mustards:	
HN1: Bis(2-chloroethyl)ethylamine .....	(538-07-8)
HN2: Bis(2-chloroethyl)methylamine .....	(51-75-2)
HN3: Tris(2-chloroethyl)amine .....	(555-77-1)
(7) Saxitoxin .....	(35523-89-8)
(8) Ricin .....	(9009-86-3)

	(CAS registry number)
B. Precursors:	
(9) Alkyl (Me, Et, n-Pr or i-Pr) phosphonyldifluorides e.g. DF: Methylphosphonyldifluoride .....	(676–99–3)
(10) O-Alkyl (H or ≤C <sub>10</sub> , incl. cycloalkyl) O–2-dialkyl (Me, Et, n-Pr or i-Pr)-aminoethyl alkyl (Me, Et, N-Pr or i-Pr) phosphonites and corresponding alkylated or protonated salts e.g. QL: O-Ethyl O–2-diisopropylaminoethyl methylphosphonite .....	(57856–11–8)
(11) Chlorosarin: O-Isopropyl methylphosphonochloridate .....	(1445–76–7)
(12) Chlorosoman: O-Pinacolyl methylphosphonochloridate .....	(7040–57–5)

## Notes to Supplement No. 1

**Note 1:** Note that the following Schedule 1 chemicals are controlled for export purposes under the Export Administration Regulations (see part 774 of the EAR, the Commerce Control List): Saxitoxin (35523–89–8) and Ricin (9009–86–3).

**Note 2:** All Schedule 1 chemicals not listed in Note 1 to this Supplement are controlled for export purposes by the Directorate of Defense Trade Controls of the Department of State under the International Traffic in Arms Regulations (22 CFR parts 120 through 130).

**SUPPLEMENT NO. 2 TO PART 712—DEADLINES FOR SUBMISSION OF SCHEDULE 1  
DECLARATIONS, ADVANCE NOTIFICATIONS, REPORTS, AND AMENDMENTS**

Declarations, advance notifications and reports	Applicable forms	Due dates
Annual Declaration on Past Activities (previous calendar year)—Declared facility (past production).	Certification, 1–1, 1–2, 1–2A, 1–2B, A (as appropriate), B (optional).	February 28th of the year following any calendar year in which more than 100 grams aggregate of Schedule 1 chemicals were produced.
Annual report on exports and imports (previous calendar year) (facility, trading company, other persons).	Certification, 1–1, 1–3, A (as appropriate), B (optional).	February 28th of the year following any calendar year in which Schedule 1 chemicals were exported or imported.
Combined Declaration and Report .....	Certification, 1–1, 1–2, 1–2A, 1–2B, 1–3, A (as appropriate), B (optional).	February 28th of the year following any calendar year in which Schedule 1 chemicals were produced, exported, or imported.
Annual Declaration of Anticipated Activities (next calendar year).	Certification, 1–1, 1–4, A (as appropriate), B (optional).	September 3rd of the year prior to any calendar year in which Schedule 1 activities are anticipated to occur.
Advance Notification of any export to or import from another State Party.	Notify on letterhead. See § 712.6 of the CWC.	45 calendar days prior to any export or import of Schedule 1 chemicals, except 3 days prior to export or import of 5 milligrams or less of saxitoxin for medical/diagnostic purposes.
Initial Declaration of a new Schedule 1 facility (technical description).	Certification, 1–1, A (as appropriate), B (optional).	200 calendar days prior to producing in excess of 100 grams aggregate of Schedule 1 chemicals.
Amended Declaration .....	Certification, 1–1, 1–2, 1–2A.	
—Chemicals/Activities:	.....	—15 calendar days after change in information.
—Company information:	.....	—30 calendar days after change in information.
—Post-inspection letter:	.....	—45 calendar days after receipt of letter.
Amended Report § 712.7(b) .....	Certification, 1–1, 1–3, A (as appropriate), B (optional).	—15 calendar days after change in information.
Amended Combined Declaration & Report.	Certification, 1–1, 1–2, 1–2A, 1–3, A (as appropriate), B (optional).	—15 calendar days after change in information.

**PART 713—ACTIVITIES INVOLVING  
SCHEDULE 2 CHEMICALS**

## Sec.

713.1 Prohibition on exports and imports of Schedule 2 chemicals to and from States not Party to the CWC.

713.2 Annual declaration requirements for plant sites that produce, process or consume Schedule 2 chemicals in excess of specified thresholds.

713.3 Annual declaration and reporting requirements for exports and imports of Schedule 2 chemicals.

713.4 Advance declaration requirements for additionally planned production, processing or consumption of Schedule 2 chemicals.

713.5 Amended declaration or report.

713.6 Declarations and reports returned without action by BIS.

713.7 Deadlines for submission of Schedule 2 declarations, reports, and amendments.

SUPPLEMENT NO. 1 TO PART 713—SCHEDULE 2 CHEMICALS